

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FRANCIS SCHAEFER COX,

Plaintiff,

v.

BENBELLA BOOKS INC. and WILLIAM
FULTON,

Defendants.

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CIVIL ACTION NO. 3:18-CV-3367-B


FINAL JUDGMENT

In its Memorandum Opinion and Order, Doc. 31, the Court converted in part Plaintiff's Motion (Doc. 19) for Voluntary Dismissal without prejudice to a dismissal with prejudice, granted the Motion, and dismissed all of Plaintiff's claims. Specifically, the Court dismissed with prejudice Plaintiff's claims for defamation, defamation per se, defamation by implication, and intentional infliction of emotional distress to the extent based on Defendants' allegedly defamatory book because the one-year statute of limitation for those claims based on the book's September 19, 2017 publication date had passed by the time Plaintiff filed his Complaint on December 20, 2018. However, the Court dismissed without prejudice Plaintiff's claims for misappropriation of name or likeness and for intentional infliction of emotional distress to the extent that they are not based on defamatory conduct because those claims were not time barred.

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that Plaintiff take nothing from his claims. This Order is a **FINAL JUDGMENT** in this action. The Clerk of Court is directed to **CLOSE** this case.

SO ORDERED.

SIGNED: April 10, 2019.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE